

LEGISLATURE OF NEBRASKA  
 ONE HUNDREDTH LEGISLATURE  
 FIRST SESSION  
**LEGISLATIVE BILL 256**

FINAL READING

Introduced by Aguilar, 35

Read first time January 10, 2007

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state government; to amend sections  
 2 72-803, 72-818, 73-508, 81-154, 81-161.03, 81-8,239.01,  
 3 81-8,239.03, 81-8,239.04, 81-8,239.05, 81-8,239.07,  
 4 81-1108.43, 83-901, and 83-916, Reissue Revised  
 5 Statutes of Nebraska, and section 81-8,239.02, Revised  
 6 Statutes Cumulative Supplement, 2006; to change bidding  
 7 and contract requirements as prescribed; to require  
 8 submission of a request for a utility easement; to raise  
 9 dollar thresholds for requisitions and purchases; to  
 10 rename a fund; to create a fund and provide for its  
 11 use; to eliminate the Forms Management Program Act; to  
 12 harmonize provisions; to repeal the original sections;  
 13 and to outright repeal sections 81-1162, 81-1163,

LB 256

LB 256

1                   81-1164, 81-1165, 81-1166, 81-1167, 81-1168, 81-1169, and  
2                   83-134, Reissue Revised Statutes of Nebraska.  
3   Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 72-803, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           72-803 (1) The state and any department or agency  
4 thereof, subject to the powers of the state building division  
5 of the Department of Administrative Services, shall have general  
6 charge of the erection of new buildings which are being erected for  
7 such department or agency, the repair and improvement of buildings  
8 under the control of such department or agency, including fire  
9 escapes, and the improvement of grounds under the control of such  
10 department or agency.

11           (2) Buildings and other improvements costing more than  
12 ~~forty~~ fifty thousand dollars shall be (a) constructed under  
13 the general charge of the department or agency as provided in  
14 subsection (1) of this section and (b) let by contract to the  
15 lowest responsible bidder after proper advertisement as set forth  
16 in subsection (4) of this section.

17           (3) The successful bidder at the letting shall enter into  
18 a contract with the department or agency, prepared as provided  
19 for by subsection (4) of this section, and shall furnish a bond  
20 for the faithful performance of his or her contract, except that  
21 a performance bond shall not be required for any project which  
22 has a total cost of ~~forty~~ one hundred thousand dollars or less  
23 unless the department or agency includes a bond requirement in the  
24 specifications for the project.

25           (4) When contracts are to be let by the department

1 or agency as provided in subsection (2) of this section,  
2 advertisements shall be published in accordance with rules and  
3 regulations adopted and promulgated by the state building division  
4 stating that sealed proposals will be received by the department  
5 or agency at its office on the date therein stated for the  
6 furnishing of materials, the construction of buildings, or the  
7 making of repairs or improvements and that plans and specifications  
8 can be seen at the office of the department or agency. All  
9 bids or proposals shall be accompanied by a certified check or  
10 by a bid bond in a sum fixed by the department or agency and  
11 payable thereto. All such contracts shall be awarded to the lowest  
12 responsible bidder, but the right shall be reserved to reject any  
13 and all bids. Whenever any material described in any contract can  
14 be obtained from any state institution, the department or agency  
15 shall exclude it from such a contract. ~~Upon the awarding of the~~  
16 ~~contract or contracts therefor, the Attorney General shall review~~  
17 ~~the contract or contracts to be entered into by the department or~~  
18 ~~agency and the contracting parties.~~

19 Sec. 2. Section 72-818, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 72-818 A Except as provided in section 37-330, a state  
22 agency may shall submit a any request for granting a utility  
23 easement on state-owned land to the committee. The committee may  
24 only approve utility easements by majority vote. Utility easements  
25 may only be granted to political subdivisions or their contractors

1 for utility or construction-related purposes. The committee shall  
2 certify the approval of a utility easement to the Director of  
3 Administrative Services who shall execute the instrument necessary  
4 to grant the easement. The state building division of the  
5 Department of Administrative Services shall be responsible for  
6 the implementation of easements granted under this section.

7           Sec. 3. Section 73-508, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9           73-508 Except as provided in section 73-507, all  
10 proposals for sole source contracts for services in excess  
11 of ~~twenty-five~~ fifty thousand dollars shall be preapproved by  
12 the materiel division except in emergencies. In case of an  
13 emergency, contract approval by the state agency director or his  
14 or her designee is required. A copy of the contract and agency  
15 justification of the emergency shall be provided to the Director  
16 of Administrative Services within three business days after  
17 contract approval. The state agency shall retain a copy of the  
18 justification with the contract in the agency files. The Director  
19 of Administrative Services shall maintain a complete record of such  
20 sole source contracts for services.

21           Sec. 4. Section 81-154, Reissue Revised Statutes of  
22 Nebraska, is amended to read:

23           81-154 The materiel division shall establish and maintain  
24 standard specifications for personal property purchased in the name  
25 of the state. The materiel division shall enlist the cooperation

1 and assistance of the using agencies in the establishment,  
2 maintenance, and revision of standard specifications and shall  
3 encourage and foster the use of standard specifications in  
4 order that the most efficient purchase of personal property may  
5 be continuously accomplished. All such standard specifications  
6 shall be so drawn that it will be possible for three or more  
7 manufacturers, vendors, or suppliers to submit competitive bids.  
8 If a requisition for personal property exceeds ~~ten~~ twenty-five  
9 thousand dollars and bids cannot be obtained from three bidders,  
10 then the standard specifications of the personal property upon  
11 which bids are sought shall be reviewed by the materiel division  
12 and the using agencies involved. If it is determined by the  
13 materiel division, because of the special nature of the personal  
14 property sought to be purchased or leased or for any other reason,  
15 that the standard specifications should remain as written, bids may  
16 be accepted from a fewer number of bidders than three with the  
17 approval of the Governor or his or her designated representative.

18           Sec. 5. Section 81-161.03, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20           81-161.03 The materiel division may, by written order,  
21 permit purchases, contracts, or leases to be made by any using  
22 agency directly with the vendor or supplier whenever it appears  
23 to the satisfaction of the materiel division that, because of the  
24 unique nature of the personal property, the price in connection  
25 therewith, the quantity to be purchased, the location of the using

1 agency, the time of the use of the personal property, or any other  
2 circumstance, the interests of the state will be served better  
3 by purchasing or contracting direct than through the materiel  
4 division.

5           Such permission shall be revocable and shall be operative  
6 for a period not exceeding twelve months from the date of issue.  
7 Using agencies receiving such permission shall report their acts  
8 and expenditures under such orders to the materiel division  
9 in writing and furnish such agent with proper evidence that  
10 competition has been secured at such time and covering such period  
11 as may be required by the materiel division.

12           The materiel division shall adopt and promulgate rules  
13 and regulations establishing criteria which must be met by any  
14 agency seeking direct market purchase authorization. Purchases for  
15 miscellaneous needs may be made directly by any agency without  
16 prior approval from the materiel division for purchases of less  
17 than five ten thousand dollars if the agency has completed a  
18 certification program as prescribed by the materiel division.

19           The Department of Correctional Services may purchase raw  
20 materials, supplies, component parts, and equipment perishables  
21 directly for industries established pursuant to section 83-183,  
22 whether such purchases are made to fill specific orders or for  
23 general inventories. Any such purchase shall not exceed twenty-five  
24 thousand dollars. The department shall comply with the bidding  
25 process of the materiel division and shall be subject to audit by

1 the materiel division for such purchases.

2 Sec. 6. Section 81-8,239.01, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4 81-8,239.01 (1) For purposes of sections 81-8,239.01  
5 to 81-8,239.08 and section 7 of this act, unless the context  
6 otherwise requires, the definition of state agencies found in  
7 section 81-8,210 shall apply, except that such term shall not  
8 include the Board of Regents of the University of Nebraska.

9 (2) There is hereby established a division within the  
10 Department of Administrative Services to be known as the risk  
11 management and state claims division. The division shall be headed  
12 by the Risk Manager who shall be appointed by the Director of  
13 Administrative Services. The division shall be responsible for  
14 the Risk Management Program, which program is hereby created. The  
15 program shall consist of the systematic identification of exposures  
16 to risk of loss as provided in sections 11-201 to 11-203, 13-911,  
17 25-2165, 43-1320, 44-1615, 44-1616, 48-194, 48-197, 48-1,103,  
18 48-1,104, 48-1,107, 48-1,109, 81-8,212, 81-8,220, 81-8,225,  
19 81-8,226, 81-8,233, 81-8,239.01 to 81-8,239.08, and 81-8,300 and  
20 section 7 of this act and shall include the appropriate methods  
21 for dealing with such exposures in relation to the state budget  
22 pursuant to such sections. Such program shall be administered by  
23 the Risk Manager and shall include the operations of the State  
24 Claims Board and other operations provided in such sections.

25 (3) Under the Risk Management Program, the Risk Manager

1 shall have the authority and responsibility to:

2 (a) Employ any personnel necessary to administer the Risk  
3 Management Program;

4 (b) Develop and maintain loss and exposure data on all  
5 state property and liability risks;

6 (c) Develop and recommend risk reduction or elimination  
7 programs for the state and its agencies and establish, implement,  
8 and monitor a statewide safety program;

9 (d) Determine which risk exposures shall be insured and  
10 which risk exposures shall be self-insured or assumed by the state;

11 (e) Establish standards for the purchase of necessary  
12 insurance coverage or risk management services at the lowest  
13 costs, consistent with good underwriting practices and sound risk  
14 management techniques;

15 (f) Be the exclusive negotiating and contracting agency  
16 to purchase insurance or risk management services and, after  
17 consultation with the state agency for which the insurance or  
18 services are purchased, enter into such contracts on behalf of  
19 the state and its agencies, officials, and employees to the extent  
20 deemed necessary and in the best interest of the state, and  
21 authorize payment for such purchase out of the appropriate funds  
22 created by section 81-8,239.02;

23 (g) Determine whether the state suffered a loss for which  
24 self-insured property loss funds have been created and authorize  
25 and administer payments for such loss from the State Self-Insured

1 Property Fund for the purpose of replacing or rebuilding state  
2 property;

3 (h) Perform all duties assigned to the Risk Manager  
4 under the Nebraska Workers' Compensation Act and sections 11-201  
5 to 11-203, 81-8,239.05, 81-8,239.07, and 84-1601 to 84-1615 and  
6 section 7 of this act;

7 (i) Approve the use of risk management pools by any  
8 department, agency, board, bureau, commission, or council of the  
9 State of Nebraska; and

10 (j) Recommend to the Legislature such legislation as may  
11 be necessary to carry out the purposes of the Risk Management  
12 Program and make appropriation requests for the administration of  
13 the program and the funding of the separate funds administered by  
14 the Risk Manager.

15 (4) No official or employee of any entity created  
16 pursuant to the Interlocal Cooperation Act or the Joint Public  
17 Agency Act shall be considered a state official or employee for  
18 purposes of sections 81-8,239.01 to 81-8,239.06.

19 Sec. 7. A state agency head shall file copies of all  
20 settlements, and a state agency head or the Attorney General  
21 shall file copies of all final, nonappealable judgments, of all  
22 self-insured liability claims with the Risk Manager. If the state  
23 agency has insufficient funds to pay the settlement or judgment,  
24 the state agency shall notify the Risk Manager. The Risk Manager  
25 shall then submit the settlement or judgment to the Legislature in

1 the same manner as provided in the State Miscellaneous Claims Act.  
2 The Legislature shall review the settlement or judgment and make an  
3 appropriation if appropriate.

4           Sec. 8. Section 81-8,239.02, Revised Statutes Cumulative  
5 Supplement, 2006, is amended to read:

6           81-8,239.02 The following separate permanent revolving  
7 funds are established in the state treasury for use under the Risk  
8 Management Program according to the purposes for which each fund is  
9 established:

10           (1) The State Insurance Fund is hereby created for  
11 the purpose of purchasing insurance to cover property, fidelity,  
12 and liability risks of the state and workers' compensation  
13 claims against the state and other risks to which the state  
14 or its agencies, officials, or employees are exposed and for  
15 paying related expenses. The fund may receive deposits from  
16 assessments against state agencies to provide insurance coverage  
17 as directed by the Risk Manager. The Risk Manager may retain in  
18 the fund sufficient money to pay for any deductibles, self-insured  
19 retentions, or copayments as may be required by such insurance  
20 policies;

21           (2) The State Self-Insured Property Fund is hereby  
22 created for the purpose of replacing, repairing, or rebuilding  
23 state property which has incurred damage or is suffering other loss  
24 not fully covered by insurance and for paying related expenses. The  
25 fund may receive deposits from assessments against state agencies

1 to provide property coverage as directed by the Risk Manager. The  
2 Risk Manager may assess state agencies to provide self-insured  
3 property coverage; and

4 (3) The State Self-Insured Indemnification ~~and Liability~~  
5 Fund is hereby created for the purpose of paying ~~compensable~~  
6 ~~liability and fidelity claims against the state or its agencies,~~  
7 ~~officials, or employees which are not fully covered by insurance~~  
8 ~~and for paying~~ indemnification claims under section 81-8,239.05.  
9 Indemnification claims shall include payments for awards,  
10 settlements, and associated costs, including appeal bonds and  
11 reasonable costs associated with a required appearance before any  
12 tribunal. The fund may receive deposits from assessments against  
13 state agencies to pay for the costs associated with providing and  
14 supporting indemnification claims. The creation of this fund shall  
15 not be interpreted as expanding the liability exposure of the state  
16 or its agencies, officials, or employees; and -

17 (4) The State Self-Insured Liability Fund is hereby  
18 created for the purpose of paying compensable liability and  
19 fidelity claims against the state or its agencies, officials,  
20 or employees which are not fully covered by insurance and for which  
21 there is insufficient agency funding and for which a legislative  
22 appropriation is made under the provisions of section 7 of this  
23 act. The creation of this fund shall not be interpreted as  
24 expanding the liability exposure of the state or its agencies,  
25 officials, or employees. The Risk Manager shall report all claims

1 and judgments paid from the State Self-Insured Liability Fund to  
2 the Clerk of the Legislature annually. The report shall include  
3 the name of the claimant, the amount claimed and paid, and a  
4 brief description of the claim, including any agency, program, and  
5 activity under which the claim arose. Any member of the Legislature  
6 may receive a copy of the report by making a request to the Risk  
7 Manager.

8           Sec. 9. Section 81-8,239.03, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           81-8,239.03 The Risk Manager shall present a budget  
11 request as provided in section 81-1113 for the Risk Management  
12 Program which shall separately state the amount requested for the  
13 Tort Claims Fund, State Insurance Fund, State Self-Insured Property  
14 Fund, State Self-Insured Indemnification and Liability Fund, and  
15 Workers' Compensation Claims Revolving Fund, and such budget shall  
16 be based on the projected needs for such funds. If the Risk Manager  
17 does not assess state agencies for any of the funds listed in this  
18 section, the amount of expenditures paid from the fund on behalf  
19 of any non-general-fund agency shall be separately stated and  
20 paid into the funds from an appropriation to such non-general-fund  
21 agency. If the amount of money in any of such funds is not  
22 sufficient to pay any awards or judgments authorized by sections  
23 48-192 to 48-1,109 or the State Tort Claims Act, the Risk Manager  
24 shall immediately advise the Legislature and request an emergency  
25 appropriation to satisfy such awards and judgments. Any money in

1 such funds available for investment shall be invested by the state  
2 investment officer pursuant to the Nebraska Capital Expansion Act  
3 and the Nebraska State Funds Investment Act.

4 Sec. 10. Section 81-8,239.04, Reissue Revised Statutes of  
5 Nebraska, is amended to read:

6 81-8,239.04 All money or property recovered by or  
7 returned to the state, including but not limited to dividends,  
8 money recovered pursuant to litigation, or the salvage value of  
9 damaged property for damages relating to either a liability or  
10 property loss for which money from the State Insurance Fund, State  
11 Self-Insured Property Fund, State Self-Insured Indemnification  
12 and ~~Liability~~ Fund, State Self-Insured Liability Fund, Workers'  
13 Compensation Claims Revolving Fund, or Tort Claims Fund has been  
14 paid, shall be deposited in the respective fund, except that such  
15 money or property recovered under the terms of an insurance policy,  
16 the premiums for which were paid solely by a cash fund agency and  
17 purchased at its request, shall be deposited in the respective cash  
18 fund.

19 Sec. 11. Section 81-8,239.05, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 81-8,239.05 (1) The State of Nebraska shall indemnify its  
22 officials and employees and its past officials and employees for  
23 money damages and reasonable costs incurred as a result of an act  
24 or omission occurring in the course and scope of employment of  
25 such official or employee after May 22, 1981. Such official's or

1 employee's right to indemnification shall include the payments of  
2 awards, settlements, and associated costs, including appeal bonds  
3 and reasonable costs associated with a required appearance before  
4 any tribunal.

5 (2) Subsection (1) of this section shall not apply in  
6 case of malfeasance in office or willful or wanton neglect of duty.  
7 This section shall not be interpreted as an expansion of any state  
8 official's or employee's personal liability.

9 (3) The Attorney General shall notify the Risk Manager  
10 when an official or employee is being represented by the Attorney  
11 General or has engaged competent counsel approved by the Attorney  
12 General. The reasonable costs of litigation, including appeal  
13 bonds, or the reasonable costs of any appearance before any  
14 tribunal shall be paid by the Risk Manager from the State  
15 Self-Insured Indemnification and Liability Fund.

16 (4) The Attorney General shall file copies of all awards  
17 and settlements and any final court approval with the Risk Manager  
18 and shall request that the Risk Manager make the required payments,  
19 if funds are available, from the State Self-Insured Indemnification  
20 and Liability Fund, except that any portion of an award or  
21 settlement which is for punitive damages may only be paid with the  
22 approval of the Legislature. The official or employee may file a  
23 claim under the State Miscellaneous Claims Act if payment is not  
24 made.

25 (5) The Risk Manager shall report all claims and

1 judgments paid from the State Self-Insured Indemnification and  
2 ~~Liability~~ Fund to the Clerk of the Legislature annually. The report  
3 shall include the name of the claimant, the amount claimed and  
4 paid, and a brief description of the claim, including any agency,  
5 program, and activity under which the claim arose. Any member of  
6 the Legislature may receive a copy of the report by making a  
7 request to the Risk Manager.

8           Sec. 12. Section 81-8,239.07, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           81-8,239.07 The Risk Manager, acting as agent for the  
11 state agencies, ~~as defined in section 81-8,239.01,~~ may (1)  
12 self-insure and contract for related risk management services,  
13 (2) purchase a liability insurance policy or policies, or (3)  
14 use any combination of self-insurance and insurance to protect  
15 the agencies and their employees and other persons authorized  
16 to operate a vehicle by an agency against loss occasioned by  
17 negligence in the operation of any trucks, automobiles, snowplows,  
18 road graders, or other vehicles. Any such policy shall be purchased  
19 by public bidding conducted by the Risk Manager upon terms and  
20 forms prepared by him or her and shall be in a limit of not  
21 less than fifty thousand dollars to cover the death or bodily  
22 injury or injuries of one person and, subject to the limitation  
23 to one person, one hundred thousand dollars to cover death or  
24 bodily injury or injuries to more than one person in the same  
25 accident and ten thousand dollars to cover property damage. have

1 limits for death, bodily injury, and property damage that are the  
2 same as would be required by law for a private individual. The  
3 premium on the policy or policies shall be paid by the Risk Manager  
4 from the State Insurance Fund created in section 81-8,239.02.  
5 The Risk Manager shall authorize and administer the payment of  
6 self-insured losses and payment for risk management services from  
7 the State Insurance Fund, State Self-Insured Property Fund, ~~or~~  
8 State Self-Insured Indemnification and Liability Fund, or State  
9 Self-Insured Liability Fund as appropriate.

10           Sec. 13. Section 81-1108.43, Reissue Revised Statutes of  
11 Nebraska, is amended to read:

12           81-1108.43 No state agency or department shall perform  
13 for itself any of the services normally performed by a  
14 professional engineer or architect in the preparation of plans and  
15 specifications for the construction, reconstruction, or alteration  
16 of any building or in the administration of the construction  
17 documents and final approval of the project when the total project  
18 cost is four hundred thousand dollars or more, and no state  
19 agency shall employ its own work force for any such construction,  
20 reconstruction, or alteration of capital facilities when the total  
21 project cost is fifty thousand dollars or more. The Department of  
22 Administrative Services shall adjust the dollar amounts in this  
23 section every four years beginning January 1, 2002, to account for  
24 inflationary and market changes. The adjustments shall be based  
25 on percentage changes in a construction cost index and any other

1 published index relevant to operations and utilities costs, as  
2 selected by the department.

3 This section shall not apply to ~~section 83-134,~~ to  
4 the Department of Roads~~,~~ or to any public power district,  
5 public power and irrigation district, irrigation district, or  
6 metropolitan utilities district. If, during the program statement  
7 review provided for under section 81-1108.41, it is determined  
8 that existing or standard plans and specifications are available or  
9 required for the project, the division may authorize an exemption  
10 from this section. The Director of Administrative Services shall  
11 not issue any warrant in payment for any work on a capital  
12 construction project unless the state agency or department files  
13 a certificate that it has complied with the provisions of this  
14 section.

15 Sec. 14. Section 83-901, Reissue Revised Statutes of  
16 Nebraska, is amended to read:

17 83-901 The purpose of sections 49-617, 68-621, 72-249,  
18 72-1302 to 72-1304, 81-101, 81-102, 81-1021, 83-101.08, 83-107.01,  
19 83-108, 83-108.04, 83-112, ~~83-134,~~ 83-135, 83-139, 83-140, 83-144,  
20 83-145, 83-147 to 83-150, 83-153 to 83-156, 83-170 to 83-173,  
21 83-186, 83-188, 83-443, and 83-901 to 83-916 is to establish  
22 an agency of state government for the custody, study, care,  
23 discipline, training, and treatment of persons in the correctional  
24 and detention institutions and for the study, training, and  
25 treatment of persons under the supervision of other correctional

1 services of the state so that they may be prepared for lawful  
2 community living. Correctional services shall be so diversified  
3 in program and personnel as to facilitate individualization of  
4 treatment.

5 Sec. 15. Section 83-916, Reissue Revised Statutes of  
6 Nebraska, is amended to read:

7 83-916 (1) The Department of Correctional Services shall  
8 have general charge of the erection of new buildings, the repair  
9 and improvement of buildings, including fire escapes, and the  
10 improvement of grounds.

11 (2) Buildings and other improvements costing more than  
12 ~~forty~~ fifty thousand dollars, exclusive of equipment not germane to  
13 construction and building material made in the institution, shall  
14 be (a) constructed under the general charge of the department as  
15 provided in subsection (1) of this section and (b) let by contract  
16 to the lowest responsible bidder after proper advertisement  
17 as set forth in subsection (5) of this section, except that  
18 buildings costing more than ~~forty~~ fifty thousand dollars, such as  
19 shops, warehouses, or a cannery, when declared necessary by the  
20 department and to be constructed on the grounds of any Department  
21 of Correctional Services adult correctional facility, may be  
22 constructed by the use of inmate labor. Any construction by inmate  
23 labor shall have the approval of the department, the warden, and  
24 the chief engineer of the department.

25 (3) Inmate labor or the labor of state charges shall

1 be employed, whenever the department deems it practicable, in all  
2 construction, repairs, and improvements at state institutions.

3 (4) The successful bidder at the letting referred to in  
4 subsection (2) of this section shall enter into a formal contract  
5 with the department, prepared as provided for by subsection (5) of  
6 this section, and shall furnish a bond for the faithful performance  
7 of his or her contract, except that a performance bond shall not  
8 be required for any project which has a total cost of ~~forty~~ one  
9 hundred thousand dollars or less unless the department includes a  
10 bond requirement in the specifications for the project.

11 (5) When contracts are to be let by the department as  
12 provided for by subsection (2) of this section, advertisements  
13 shall be published in accordance with rules and regulations adopted  
14 and promulgated by the state building division of the Department  
15 of Administrative Services stating that sealed proposals will be  
16 received by the Department of Correctional Services at its office  
17 on the date therein stated for the furnishing of materials, the  
18 construction of buildings, or the making of repairs or improvements  
19 and that plans and specifications can be seen at the office of  
20 the department. All bids or proposals shall be accompanied by a  
21 certified check or bid bond in a sum fixed by the department  
22 and payable thereto. All such contracts shall be awarded to the  
23 lowest responsible bidder, but the right shall be reserved to  
24 reject any and all bids. Whenever any material described in any  
25 contract can be obtained from any state institution, the department

1 shall exclude it from such a contract. ~~Upon the awarding of the~~  
2 ~~contract or contracts therefor,~~ the Attorney General shall review  
3 the contract or contracts to be entered into by the department and  
4 the contracting parties.

5           Sec. 16. Original sections 72-803, 72-818, 73-508,  
6 81-154, 81-161.03, 81-8,239.01, 81-8,239.03, 81-8,239.04,  
7 81-8,239.05, 81-8,239.07, 81-1108.43, 83-901, and 83-916, Reissue  
8 Revised Statutes of Nebraska, and section 81-8,239.02, Revised  
9 Statutes Cumulative Supplement, 2006, are repealed.

10           Sec. 17. The following sections are outright repealed:  
11 Sections 81-1162, 81-1163, 81-1164, 81-1165, 81-1166, 81-1167,  
12 81-1168, 81-1169, and 83-134, Reissue Revised Statutes of Nebraska.